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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

11 || KELLY JACKSON, an individual,

12 Plaintiff,

13 | vs.

14 NYE COUNTY *ex rel.* NYE COUNTY
15 SHERIFF'S OFFICE; ANTONIO M.
MEDINA

16 | Defendants.

Case No: 2:16-cv-03022-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DEADLINES SET FORTH IN
JOINT DISCOVERY PLAN AND
SCHEDULING ORDER**

18 **THE PARTIES HEREBY STIPULATE AND AGREE** by and between Plaintiff
19 KELLY JACKSON, by and through counsel of record Matthew Q. Callister, Esq. and Mitchell
20 S. Bisson, Esq., of the law firm of Callister Law Group, and Defendant NYE COUNTY ex rel.
21 NYE COUNTY SHERIFF'S OFFICE and ANTONIO MEDINA, by and through counsel of
22 record Rebecca Bruch, Esq., of the law firm of Erickson, Thorpe & Swainston, LTD., that, in
23 accordance with LR 7-1 and 26-4 of the Local Rules of Practice for the United States District
24 Court, District of Nevada, the Court's November 22, 2017, Order to Extend Deadlines Set forth
25 In Joint Discovery Plan (Doc No. 36) be amended and deadlines, as listed below, be extended
26 ninety (90) days from the currently scheduled dates. This is the second request to extend the
27 deadlines by the parties.

This request includes extensions of the deadlines for discovery, initial expert and rebuttal expert disclosures under Rule 26(a)(2), dispositive motions, the interim status report, and Joint Pretrial Order. The present and proposed new dates for these deadlines are set forth in Section D below. The extension is necessary to accommodate the completion of certain depositions prior to retention of expert witnesses.

A. STATEMENT SPECIFYING DISCOVERY COMPLETED (LR 26-4(a))

The Rule 26(f) conference was held on April 19, 2017. Following the Rule 26(f) conference, the proposed Joint Discovery Plan and Scheduling Order was filed on May 2, 2017. The Court approved the proposed Discovery Plan and Scheduling Order on May 10, 2017. Defendant exchanged initial disclosures on July 18, 2017. Plaintiff exchanged initial disclosures on November 9, 2017. On November 22, 2017, the Court approved a Stipulation to Extend Deadlines Set Forth in the Joint Discovery Plan and Scheduling Order (First Request).

On June 22, 2017, Defendant propounded Interrogatories upon Plaintiff, which Plaintiff responded to. On July 31, 2017, Defendant propounded Notice of Deposition upon Plaintiff which was set for October 13, 2017. Plaintiff requested the October 13, 2017, deposition to be vacated because of ongoing medical issues as well as trauma caused by her attendance at the Route 91 shooting in Las Vegas. On February 9, 2018, Defendant commenced Plaintiff's deposition, but was not able to complete the deposition because Plaintiff had not yet produced certain documents upon which she had relied in this case. On February 13, 2018, Defendant propounded Requests for Production of Documents on Plaintiff. On March 1, 2018, Defendant supplemented its FRCP 26 disclosures.

B. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE COMPLETED (LR26-4 (b))

Plaintiff needs to supplement its witness disclosures, respond to Requests for Production propounded by Defendants on February 13, 2018, and both parties need to take numerous depositions. Defendant reserves, and Plaintiff does not object to completion of the Plaintiff's deposition and take several other depositions. Both parties need to retain experts after the Plaintiff's deposition is taken and depose the respective experts.

1 **C. REASONS FOR REQUESTED EXTENSION (LR26-4 (c))**

2 The parties attended and participated in an ENE on July 27, 2017, but there was no
3 settlement.

4 Defendant commenced the deposition of Plaintiff on February 9, 2018. During said
5 deposition discoverable yet undisclosed information was introduced by Plaintiff. Plaintiff is in
6 the process of preparing supplemental disclosures and responding to Requests for Production.
7 Defendant reserved the right to continue Plaintiff's deposition. Additionally, on April 11, 2018,
8 counsel for Defendant will be undergoing a medical procedure that will require a two-week leave
9 of absence. Therefore, this request is necessary to allow time for the parties to move forward
10 with discovery.

11 **D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY (LR26-4 (d))**

12 Pursuant to LR 26-4, the parties propose to extend the current deadlines and jointly
13 submit the following to the Court:

- 14 1. **Discovery Cut-Off Date:** The current deadline to complete discovery is March
15 21, 2018. The parties propose extending the discovery deadline by 90 days,
16 which will make the new deadline to complete discovery June 19, 2018
17 (Tuesday);
- 18 2. **Interim Status Report:** The current deadline to file a Joint Interim Status
19 Report was January 19, 2018. The parties propose extending this deadline 90
20 days, which will make a Joint Interim Status report due: April 19, 2018
21 (Thursday);
- 22 3. **Expert Disclosures:** The current deadline for expert disclosures was January
23 19, 2018. The parties propose extending this deadline 90 days, which will make
24 the last date to disclose experts pursuant to Fed. R. Civ. P 26 (a) (2) April 19,
25 2018 (Thursday);
- 26 4. **Rebuttal Experts:** The current deadline for rebuttal expert disclosures is no
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1 later than thirty (30) days after the initial disclosure of experts, or February 22,
2 2018. The parties propose extending this deadline 90 days, which will make the
3 last date to disclose rebuttal experts May 23, 2018 (Wednesday);

4 5. **Dispositive Motions:** The current last date to file dispositive motions is no later
5 than thirty (30) days after the discovery cut-off date, or April 18, 2018. The
6 parties propose extending this deadline 90 days, which will make the last date
7 to file dispositive motions July 17, 2018 (Tuesday);

8 6. **Pre-Trial Order:** The current date the parties shall file the joint pretrial order
9 is no later than thirty (30) days after the dispositive-motion deadline, or May
10 15, 2018. The parties propose extending this deadline 90 days, which will
11 make the joint pretrial order due by August 13, 2018 (Monday) (if dispositive
12 motions are filed, the deadline for filing the joint pretrial order will be
13 suspended until 30 days after decision on the dispositive motions or further
14 court order.)

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1 7. **Pre-Trial Disclosures:** Parties will make their pretrial disclosures at least thirty
2 (30) days before trial. Within fourteen (14) days after they are made, unless the
3 court sets a different time, a party may serve and promptly file a list of the
4 following objections: any objections to the use under FRCP 32 (a) of a
5 deposition designated by another party under FRCP 26 (a) (3) (A) (ii); and any
6 objection, together with the grounds for it, that may be made to the admissibility
7 of materials identified under FRCP 26 (a) (3) (A) (iii). An objection not so made
8 — except for one under Federal Rule of Evidence 402 or 403 — is waived unless
9 excused by the court for good cause.

10 DATED this 8th day of March, 2018.

11 **CALLISTER LAW GROUP**

12
13 */s/ Matthew Q. Callister*
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15 Nevada Bar No. 001396
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20 Attorneys for Plaintiff

21 DATED this 8th day of March, 2018.

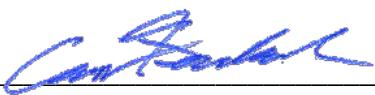
22 **ERICKSON, THORPE & SWAITON, LTD**

23
24 */s/ Rebecca Bruch*
25 **REBECCA BRUCH, ESQ.**
26 Nevada Bar No. 007289
27 99 West Arroyos Street
28 Reno, Nevada 89509
29 Attorneys for Defendant Nye County

30 **ORDER**

31 **IT IS SO ORDERED.**

32 DATED this 9th day of March, 2018.

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35 UNITED STATES MAGISTRATE JUDGE

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37 Prepared and Submitted by:

38 **CALLISTER LAW GROUP**

39
40 */s/ Matthew Q. Callister*
41 Matthew Q. Callister, ESQ.
42 Attorneys for Plaintiff